REMARKS

Claims 1-11, 19-32 and 38-48 are pending with claims 1, 7,

11, 19, 23, 28 and 45 being independent. Claims 12-18 and 33-37

were previously cancelled. Claims 1, 7, 11, 19, 23, 28 and 45

have been amended. No new matter has been added. The

specification fully supports the amendment at least on page 9,

line 10 - page 10, line2.

In light of the amendment and the following remarks,

reconsideration and notice of allowance of all pending claims

are respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-7, 9, 19, 20, 22-25, 27-32, 38-45 and 48 stand

rejected under 35 U.S.C. § 102(e) as allegedly being anticipated

by U.S. Patent No. 6,198,920 to Doviak et al. ("Doviak"). While

not agreeing with the rejections, claims 1, 7, 19, 23, 28 and 45

have been amended to expedite the prosecution of the present

application.

Claim 1 and its dependent claims

Doviak fails to teach each and every feature of claim 1. In contrast to claim 1, Doviak teaches a system that "instructs how to select a particular network" to connect. (*See*, Doviak at col. 35, ll. 37-39.) Thus, Doviak merely determines which networks are available and selects one of the networks to connect. (*See*, *id*. at col. 35, l. 58 – col. 36, l. 34.) Thus, instead of opening several connections, from which one or more connections are selected as an active connection and rest as passive connections, as recited in claim 1, Doviak simply selects one of the available connections to connect with.

In addition, Doviak fails to teach the claimed, "determine whether to open one or more additional connections; close one or more of the opened connections; and change the selected active connection as a passive connection and select one or more of the passive connections as the active connection." The system in Doviak monitors the available networks to determine whether to switch to a different network only. Doviak is silent as to determining whether to open or close new networks. Further, even when network switch is performed in Doviak, selection of passive networks are not performed.

For at least these reasons, claim 1 is allowable over Doviak. Claims 2-6, 9 and 38-41 depend from claim 1, and are allowable over Doviak for at least the same reasons.

Claim 7 and its dependent claims

Claim 7 is allowable over Doviak for at least reasons similar to claim 1. Claims 42-44 depends from claim 7, and are allowable over Doviak for at least the same reasons.

Claim 19 and its dependent claims

Claim 19 is allowable over Doviak for at least reasons similar to claim 1. Claims 20-22 depend from claim 19, and are allowable over Doviak for at least the same reasons.

Claims 23 and its dependent clams

Claim 23 is allowable over Doviak for at least reasons similar to claim 1. Claims 24-25 and 27 depend from claim 23, and are allowable over Doviak for at least the same reasons.

Claims 28 and its dependent clams

Claim 28 is allowable over Doviak for at least reasons similar to claim 1. Claims 29-32 depend from claim 28, and are allowable over Doviak for at least the same reasons.

Claims 48 and its dependent clams

Claim 48 is allowable over Doviak for at least reasons similar to claim 1.

Rejections Under 35 U.S.C. § 103

Claims 8, 10, 21, 26 and 46 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Doviak in view of U.S. Patent No. 6,614,808 to Gopalakrishna ("Gopalakrishna").

Claims 8 and 10

The combination of Doviak and Gopalakrishna fails to teach or suggest each and every features of claims 8 and 10. Claims 8 and 10 depend from claim 1, and are allowable over Doviak for at least reasons similar to claim 1. The addition of Gopalakrishna fails to alleviate the deficiencies of Doviak.

In contrast to claims 8 and 10, Gopalakrishna discloses "a process 100 for performing network packet aggregation over one or more client sessions." (See Gopalakrishna at col. 4, ll. 53-55). However, Gopalakrishna does not teach or suggest opening two or more connections and assigning at least one of the connections as an active connection as recited in claims 8 and 9. In addition, Similar to Doviak, Gopalakrishna is silent as to the other claimed features including the claimed, "determine whether to open one or more additional connections; close one or more of the opened connections; and change the selected active connection as a passive connection and select one or more of the passive connections as the active connection." Since both Doviak and Gopalakrishna fails to teach or suggest the same

claimed features, a hypothetical combination of Doviak and

Gopalakrishna still fails teach or suggest each and every

features of claims 8 and 9.

For at least these reasons, claims 8 and 9 are allowable

over the proposed combination of Doviak and Gopalakrishna.

Claims 21 and 26

Claims 21 and 26 are allowable over the proposed

combination of Doviak and Gopalakrishna for at least reasons

similar to claims 8 and 9.

Claim 46

Claim 46 is allowable over the proposed combination of

Doviak and Gopalakrishna for at least reasons similar to claim

8.

Claims 11 and 47 stand rejected under 35 U.S.C. § 103(a) as

allegedly being unpatentable over Doviak in view of U.S. Patent

Application Publication No. 2005/0132049 to Inoue et. al.

("Inoue").

Claim 11

The proposed combination of Doviak and Inoue fails to teach

or suggest each and every features of claim 11. For at least

reasons similar to claim 1, claim 11 is allowable over Doviak.

The addition of Inoue fails to alleviate the deficiencies of

Divuak.

Inoue teaches a system for connecting mobile devices

through various routers and base stations. (*See,* Inoue at FIG.

1 and ¶ [0056].) While various communication paths are

described, similar to Doviak, Inoue fails to teach or suggest

opening two or more connections and selecting at least one of

the opened connection as an active connection and the rest as

passive connections. Further, Inoue fails to teach or suggest

the claimed, "determine whether to open one or more additional

connections; close one or more of the opened connections; and

change the selected active connection as a passive connection

and select one or more of the passive connections as the active

connection." Inoue is simply silent as to these and other

claimed features.

In addition, the Office concedes that Doviak at least fails

to teach or suggest "the information comprising a command causes

the server to contact a remote system, receive a reply from the

remote system, and effect a response without transmitting the

reply to the device." (*See,* Office Action Dated March 16, 2007

at page 23, lines 13-16.) While the Office contends that Inoue

teaches this feature in the abstract (*see, id.* at pg. 24, ll.

21-22), the cited portions of Inoue fails to support the

contention.

Inoue teaches that "[t]he cache servers can be managed by receiving a message indicating at least a connection location of a mobile computer, selecting one or more cache servers located nearby the mobile computer according to the message, and controlling these one or more cache servers to cache selected WWW information selected for the mobile computer, so as to enable faster accesses to the selected WWW information by the mobile computer." (*See,* Inoue at abstract.) In other words, the system in Inoue caches or stores the "WWW information" for faster access of the cached information by the mobile device. This feature in Inoue is not applicable to the claimed features in claim 11. In particular, the system in Inoue simply teaches that the "selected WWW information" is cached. Since the "WWW information" in Inoue is merely the data that mobile device can access, merely caching the data is not relevant to claim 11.

Further, the message in Inoue does not cause the cache servers to contact the mobile device. In contrast, the message merely receives the connection location of the mobile device and to cache the "WWW information." Also, even if the cached information could somehow reasonably be construed as the claimed reply (which is not conceded), the information is made available to the mobile device in Inoue (i.e., "enable faster accesses to the selected WWW information by the mobile computer.) In

contrast, claim 11 recites that a reply is not transmitted to the device.

For at least these reasons, claim 11 is allowable over the proposed combination of Doviak and Inoue.

Claim 47

Claim 47 is allowable over the proposed combination of Doviak and Inoue for at least reasons similar to claim 11.

CONCLUSION

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

All pending claims are in condition for allowance, and a notice to that effect is respectfully solicited.
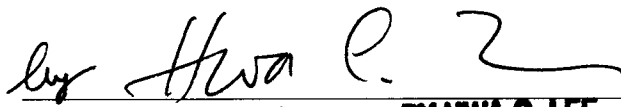
No fees are believed due. Please apply any other charges

or credits to deposit account 06-1050.

Respectfully submitted,

Date: June 16, 2007

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